

#### **IC 12-17.2-3.7 Version a**

##### **Chapter 3.7. Early Learning Advisory Committee; Early Education Matching Grant Program**

*Note: This version of chapter added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

#### **IC 12-17.2-3.7-1 Version a**

##### **"Committee"**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 1. As used in this chapter, "committee" refers to the early learning advisory committee established by section 8 of this chapter. *As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-2 Version a**

##### **"Eligible child"**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 2. As used in this chapter, "eligible child" refers to a child who qualifies as an eligible child under section 15 of this chapter. *As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-3 Version a**

##### **"Eligible provider"**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 3. As used in this chapter, "eligible provider" refers to an entity that qualifies as an eligible provider under section 16 of this chapter. *As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-4 Version a**

##### **"Eligible services"**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 4. As used in this chapter, "eligible services" refers to a program of early education services that meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating. *As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-5 Version a**

##### **"Fund"**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013,*

SEC.3.

Sec. 5. As used in this chapter, "fund" refers to the early education matching grant program fund established by section 11 of this chapter.

*As added by P.L.205-2013, SEC.211.*

**IC 12-17.2-3.7-6 Version a**  
**"Grant"**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 6. As used in this chapter, "grant" refers to a matching grant from the fund.

*As added by P.L.205-2013, SEC.211.*

**IC 12-17.2-3.7-7 Version a**  
**"Program"**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 7. As used in this chapter, "program" refers to the early education matching grant program established by this chapter.

*As added by P.L.205-2013, SEC.211.*

**IC 12-17.2-3.7-8 Version a**  
**Early learning advisory committee established**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 8. (a) The early learning advisory committee is established.

(b) The committee consists of six (6) members appointed by the governor as follows:

- (1) A representative of the department of education.
- (2) A representative of the division.
- (3) A representative of a Head Start program under 42 U.S.C. 9831 et seq.
- (4) A representative of a family advocacy group that has an interest in early childhood education.
- (5) An early childhood education provider.
- (6) A representative of business with an interest in early childhood education.

(c) The governor shall appoint the chairperson of the committee.

(d) The division shall staff the committee.

(e) The expenses of the committee shall be paid from the funds of the division.

(f) Each member of the committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided

in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the legislative services agency.

(i) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-9 Version a**

##### **Early learning advisory committee duties**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 9. (a) The committee shall do the following:

(1) Conduct periodic statewide needs assessments concerning the quality and availability of early education programs for children from birth to the age of school entry, including the availability of high quality prekindergarten education for low income children in Indiana.

(2) Identify opportunities for, and barriers to, collaboration and coordination among federally and state funded child development, child care, and early childhood education programs and services, including governmental agencies that administer the programs and services.

(3) Assess the capacity and effectiveness of two (2) and four (4) year public and private higher education institutions in Indiana for the support of development of early educators, including:

(A) professional development and career advancement plans; and

(B) practice or internships with Head Start or prekindergarten programs.

(4) Recommend to the division procedures, policies, and eligibility criteria for the program.

(5) Other duties as determined necessary by the chairperson of the committee.

(b) Not later than June 30 of each year, the committee shall develop and make recommendations to the governor and, in an

electronic format under IC 5-14-6, to the legislative council concerning the results of the committee's work under this section.  
*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-10 Version a**

##### **Early education matching grant program**

*Note: This version of section added by P.L.205-2013, SEC.211.  
See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 10. The division shall administer an early education matching grant program in compliance with this chapter. The division may establish procedures, forms, and standards to carry out this chapter. The office of the secretary may adopt rules under IC 4-22-2 to carry out this chapter.

*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-11 Version a**

##### **Early education matching grant program fund established**

*Note: This version of section added by P.L.205-2013, SEC.211.  
See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 11. (a) The early education matching grant program fund is established for the purpose of providing matching grants to providers of eligible services. The fund shall be administered by the division.

(b) The fund consists of the following:

(1) Appropriations by the general assembly.

(2) Grants and gifts that the state receives for the fund under terms, obligations, and liabilities that the division considers appropriate.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. The fund is a trust fund and may not be transferred to another fund under IC 4-9.1-1-7.

*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-12 Version a**

##### **Early education matching grant applications**

*Note: This version of section added by P.L.205-2013, SEC.211.  
See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 12. The division shall establish an application process for grants from the fund.

*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-13 Version a**

##### **Early education matching grants; criteria**

*Note: This version of section added by P.L.205-2013, SEC.211.*

*See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 13. The division may award a grant from the fund to an applicant that:

- (1) agrees to operate as an eligible provider;
- (2) either:
  - (A) has obtained a matching gift or grant; or
  - (B) has a commitment for a matching gift or grant; from any combination of foundations, other nonprofit entities, individuals, or for-profit entities for the purposes of the applicant's program of eligible services;
- (3) provides the division with a plan for use of the grant and any related matching funds that demonstrates to the satisfaction of the division that use of the grant and related matching funds will increase the number of eligible children receiving eligible services;
- (4) enters into a written agreement with the division concerning the delivery of eligible services and the use of a grant provided under this chapter, which incorporates the plan approved by the division under subdivision (3); and
- (5) provides to the division any other information that the division determines necessary or appropriate for the grant.

*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-14 Version a**

##### **Contributions to the early education matching grant program fund accepted**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 14. Foundations, nonprofit entities, individuals, and for-profit entities may contribute an amount to the fund:

- (1) for the purposes of providing a matching gift or grant described in section 13(2) of this chapter; or
- (2) as unrestricted funds.

*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-15 Version a**

##### **Qualification as an eligible child**

*Note: This version of section added by P.L.205-2013, SEC.211. See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 15. To qualify as an eligible child, the child must be:

- (1) a member of a household with an annual income that does not exceed one hundred percent (100%) of the federal poverty level;
- (2) at least four (4) years of age and less than five (5) years of age when the child receives eligible services; and
- (3) a resident of Indiana or otherwise have legal settlement in Indiana, as determined under IC 20-26-11.

*As added by P.L.205-2013, SEC.211.*

**IC 12-17.2-3.7-16 Version a**  
**Qualification as an eligible provider**

*Note: This version of section added by P.L.205-2013, SEC.211.  
See also following version of this chapter added by P.L.267-2013, SEC.3.*

- Sec. 16. To qualify as an eligible provider, an applicant must:
- (1) be an entity other than an individual;
  - (2) provide eligible services to individuals for at least one hundred eighty (180) days per year;
  - (3) administer the kindergarten readiness assessment (ISTAR-KR) adopted by the department of education to children receiving eligible services as required by the division;
  - (4) include a parental involvement component in the delivery of eligible services that is based on the requirements and guidelines established by the division;
  - (5) comply with the agreement with the division concerning the delivery of eligible services and the use of a grant provided under this chapter; and
  - (6) comply with any other standards and procedures established under this chapter.

*As added by P.L.205-2013, SEC.211.*

**IC 12-17.2-3.7-17 Version a**  
**Compliance monitoring of grant recipients**

*Note: This version of section added by P.L.205-2013, SEC.211.  
See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 17. The division shall monitor for compliance of a recipient of a grant with the terms of the grant.

*As added by P.L.205-2013, SEC.211.*

**IC 12-17.2-3.7-18 Version a**  
**Monitoring of educational outcomes**

*Note: This version of section added by P.L.205-2013, SEC.211.  
See also following version of this chapter added by P.L.267-2013, SEC.3.*

Sec. 18. (a) The division shall monitor the educational outcomes resulting from the delivery of eligible services by eligible providers that receive a grant under this chapter over the period established by the division to evaluate the contribution eligible services makes toward improved education outcomes.

(b) The division shall provide the department of education with information necessary for the department of education to assign a child who receives early education services from a provider that participates in the program under this chapter a student testing number. Upon receipt of the information, the department of education shall assign the child a student testing number to track the child's educational growth and development.

(c) The department of education shall cooperate with the division as necessary or appropriate to assist the division to carry out this section, including the sharing of information related to the educational outcomes assigned a student testing number under subsection (b) to the extent permitted by the laws governing the disclosure of student information.

(d) Beginning in 2015, the division shall annually provide the committee, the governor, and (in an electronic format under IC 5-14-6) the legislative council a report of the findings of the division under this section in a form that complies with all laws governing the disclosure of student information.

*As added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7 Version b**

##### **Chapter 3.7. Early Education Evaluation Program**

*Note: This version of chapter added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

#### **IC 12-17.2-3.7-1 Version b**

##### **"Paths to QUALITY program"**

*Note: This version of section added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

Sec. 1. As used in this chapter, "Paths to QUALITY program" refers to a voluntary quality rating and improvement system for child care administered:

- (1) statewide by the division; and
- (2) under the trademark "Paths to QUALITY".

*As added by P.L.267-2013, SEC.3.*

#### **IC 12-17.2-3.7-2 Version b**

##### **"Program"**

*Note: This version of section added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

Sec. 2. As used in this chapter, "program" refers to the early education evaluation program established by section 3 of this chapter.

*As added by P.L.267-2013, SEC.3.*

#### **IC 12-17.2-3.7-3 Version b**

##### **Early education evaluation program established**

*Note: This version of section added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

Sec. 3. The early education evaluation program is established to gather data concerning the school readiness of low income children who have received early education services through providers with programs of demonstrated quality that require parental involvement

in the children's education.  
*As added by P.L.267-2013, SEC.3.*

**IC 12-17.2-3.7-4 Version b**  
**Conduct of program**

*Note: This version of section added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

Sec. 4. (a) The division shall conduct a study of the school readiness of low income children receiving early education services from providers that:

- (1) meet the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating; and
- (2) require parental involvement based on the guidelines developed under section 7 of this chapter.

(b) The division shall select representative providers in multiple locations across Indiana who administer kindergarten readiness assessments and other indicators of school readiness to children receiving services from the providers to participate in the program. The division shall work with the department of education to assign student testing numbers to low income children completing kindergarten readiness assessments.

(c) Not later than October 1 of each year, the division shall prepare an annual report of the results of the program and provide the report to the governor, to the department of education, and, in an electronic format under IC 5-14-6, to the legislative council.

(d) The division shall administer the program, which must begin on July 1, 2013.

*As added by P.L.267-2013, SEC.3.*

**IC 12-17.2-3.7-5 Version b**  
**Early learning advisory committee established; members; functions; reports**

*Note: This version of section added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

Sec. 5. (a) The early learning advisory committee is established to do the following:

- (1) Conduct periodic statewide needs assessments concerning the quality and availability of early education programs for children from birth to the age of school entry, including the availability of high quality prekindergarten education for low income children in Indiana.
- (2) Identify opportunities for, and barriers to, collaboration and coordination among federally and state funded child development, child care, and early childhood education programs and services, including governmental agencies that administer the programs and services.
- (3) Assess the capacity and effectiveness of two (2) and four (4) year public and private higher education institutions in Indiana



for the support of development of early educators, including:

(A) professional development and career advancement plans;  
and

(B) practice or internships with Head Start or prekindergarten programs.

(4) Other duties as determined necessary by the chairperson of the committee.

(5) Not later than June 30 of each year, develop and make recommendations to the governor and, in an electronic format under IC 5-14-6, to the legislative council concerning the results of the committee's work under subdivisions (1) through (4).

(b) The committee consists of six (6) members appointed by the governor as follows:

(1) A representative of the department of education.

(2) A representative of the division.

(3) A representative of a Head Start program under 42 U.S.C. 9831 et seq.

(4) A representative of a family advocacy group that has an interest in early childhood education.

(5) An early childhood education provider.

(6) A representative of business with an interest in early childhood education.

(c) The governor shall appoint the chairperson of the committee.

(d) The division shall staff the committee.

(e) The expenses of the committee shall be paid from the funds of the division.

(f) Each member of the committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the legislative services agency.

(i) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

*As added by P.L.267-2013, SEC.3.*

**IC 12-17.2-3.7-6 Version b**  
**Participation of children**

*Note: This version of section added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

Sec. 6. The division shall provide the department of education with information necessary for the department of education to assign a child who receives early education services from a provider who participates in the program under this chapter a student testing number. Upon receipt of the information, the department of education shall assign the child a student testing number to track the child's educational growth and development.

*As added by P.L.267-2013, SEC.3.*

**IC 12-17.2-3.7-7 Version b**  
**Guidelines for increased parental involvement**

*Note: This version of section added by P.L.267-2013, SEC.3. See also preceding version of this chapter added by P.L.205-2013, SEC.211.*

Sec. 7. The division shall develop and maintain guidelines for the inclusion in every provider's services under this chapter of a component increasing parental engagement and involvement in the child's education.

*As added by P.L.267-2013, SEC.3.*